

MINUTES  
ZONING BOARD OF APPEALS  
MARCH 14, 2012 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 1

I. ROLL CALL

Present: Kravits, Manning, Russotto, Stebbins, Mencer  
Excused: Grady  
Staff: Cullen, Gilot

Chairman Stebbins called the meeting to order at 7:00 p.m. and reviewed the public hearing procedures.

II. PUBLIC HEARINGS

1. ZBA#12-02 – 350 Long Hill Road, TLC East LLC/Owner, Pride Signs Ltd, /Applicant; for a variance to Section 7.3-7 to allow 12 wall signs in lieu of 4; for a variance to Section 7.3-7 to allow 311 square feet of wall signs in lieu of 173 square feet. PIN 168920910766, OMF zone

Manning read the legal ad.

The public hearing was continued to the next regular meeting on March 28, 2012 so that the applicant could complete their mailing.

III. MEETING FOLLOWING PUBLIC HEARINGS

- 1) Decisions on Public Hearing Applications

ZBA#12-01 – 159 Packer Road, Gary & Aubrey Birkhamshaw/Owners

Mr. Manning stated that he had listened to the tape of the public hearing and visited the site on March 2, 2012, and is qualified to sit in on the discussion.

Mr. Stebbins stated that he received an email from the applicant after the close of the hearing, and that would not have an influence on his judgment of the application.

Mr. Russotto stated that he also received an email from the applicant after the close of the hearing, and that would not have an influence on his judgment of the application.

Staff stated that she received questions regarding the process of variances vs. special permits outside the hearing from Mr. Mitchell. Staff also read him the sixteen conditions as they are listed in the file. Staff reminded Mr. Mitchell that their discussion was outside the hearing and no further items could be discussed.

The Board discussed hardships, the permitted uses of the zone, the condition of the site, and the applicant's proposed conditions. Staff said they could examine those conditions and tie them to the variance, and it could be recorded in the land records. The language of the regulations with regard to commercial uses and manufacturing in that zone were discussed. Staff and the Board also reviewed the historic value of the site, the Town's plan of development, other uses of the property, proximity of neighboring residents, the neighboring commercial uses, home occupation requirements and limitations specified in the zoning regulations.

Staff reviewed the POCD under the conservation theme, which discussed protection of historic resources. She also discussed the intensity of the use, the other permitted uses of residential properties as a permitted use, and the traffic from those uses. Staff also said this property is located in the WRPD. The 16 self-imposed conditions of the applicant were read into the record. The unique nature of the proposal was discussed.

MOTION: To grant the variance as requested, subject to the following conditions:

- 1) The only “small-scale manufacturing use” allowed on the property is the manufacture and repair of handcrafted wooden stringed musical instruments using standard wood-working power tools.
- 2) The hours of operation are limited to Monday through Saturday, 8:00 a.m. to 7:00 p.m. The shipping and delivery of products/materials will only take place during these times.
- 3) The number of employees in the reconstructed mill is limited to seven, two of whom must reside in the dwelling on the property.
- 4) The use is to be considered as accessory to the permitted principal single-family residential use on the property.
- 5) The reconstructed mill will not be open to walk-in retail customers, but customers may come to the mill for prescheduled appointments. There will also be no public events or associated uses (e.g., music lessons).
- 6) Appropriate buffers will be maintained around property to assure that the manufacturing use is screened from view from the abutting parcels.
- 7) No hazardous materials, other than standard woodworking products (varnishes, thinners, etc.) will be stored or used as part of the manufacturing process.
- 8) Proper provisions for waste handling and recycling will be employed.
- 9) The property will comply with applicable health code provisions regarding potable water and septic.
- 10) No commercial vehicles will be stored on the property.
- 11) All manufacturing uses will take place in the interior of the reconstructed mill.
- 12) The planning department staff must approve the final architectural, signage and lighting details.
- 13) The historical foundation will be reconstructed to meet current building codes, and preserved for the duration of manufacturing use, or if modified or eliminated, the approval is void and the use must cease.
- 14) There will be no future reductions in lot area.
- 15) The property will comply with the Town of Groton Water Resource Protection District requirements.
- 16) The floor area of the reconstructed mill will not be expanded beyond the square footage shown on the plans attached to this application.

Motion made by Manning, seconded by Kravits. MOTION PASSED 4-0-1, 1 abstention (Stebbins).

ZBA#12-02 – 350 Long Hill Road, TLC East LLC/Owner

The public hearing was continued to March 28, 2012.

2) Correspondence – Staff read the CFPZA letter in recognizing Mr. Mencer's service to the ZBA.

3) Minutes – Meeting of February 22, 2012

MOTION: To approve the minutes of February 22, 2012 as presented.

Motion made by Manning, seconded by Russotto. MOTION PASSED UNANIMOUSLY.

4) Old Business

a) Election of Officers – Tabled

5) New Business

a) New Applications

Staff said the Applebee's application was deferred to the March 28<sup>th</sup> meeting, and the Perini variance request will also be on the agenda for the 28<sup>th</sup>.

Chairman Stebbins requested that staff provide an update on the former Cumberland Farms for the next meeting.

6) Report of Staff – None

#### IV. ADJOURNMENT

Motion to adjourn at 8:12 p.m. was made by Kravits, seconded by Mencer, so voted unanimously.

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Tom Manning, Secretary  
Zoning Board of Appeals

Prepared by Debra Gilot, Office Assistant III